

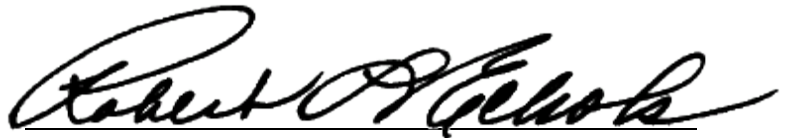
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|-------------------------------|---|---------------|
| GARRY BAKER |) | |
| |) | |
| v. |) | NO. 3:08-1227 |
| |) | JUDGE ECHOLS |
| TENNESSEE DEPARTMENT OF |) | |
| CORRECTIONS AND NORTHWEST |) | |
| CORRECTIONAL FACILITY MEDICAL |) | |
| SERVICES UNIT, ET AL. |) | |

O R D E R

By Memorandum and Order entered October 9, 2009 (Docket Entry Nos. 63, 64), the Court accepted and approved the Report and Recommendation of the Magistrate Judge (Docket Entry No. 43), and the unserved Defendants were dismissed without prejudice for failure to effect service. In its Order, the Court inadvertently omitted dismissing two individual Defendants. Accordingly, the Memorandum and Order (Docket Entry No. 63, 64) are hereby modified to reflect that "James Smith and Robert Ball are hereby DISMISSED WITHOUT PREJUDICE for failure to effect service as required by Rule 4(m) of the Federal Rules of Civil Procedure." In all other respects, the Memorandum and Order (Docket Entry Nos. 63, 64) shall remain in full force and effect.

It is so ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE